D 12

1937

# Department of Revenue

OFFICE Board of Revenue

STATION Madras

Mis No. 1766

Dated ~~3.6.37~~ 3-6-37

M.I. 3/6/37

DESTROYED

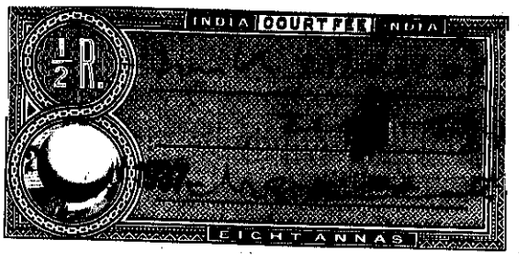
Encl given

R.P

Pages in the file

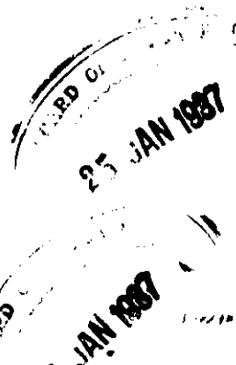
(SUBJECT.)

Allowances - Yasdar (S. Kanara) Mangalore Sheri Shantheswara Sowkar Basti - Claim for arrears of allowances - Petn by Srinivasa Ballal - Admitted - Collr informed

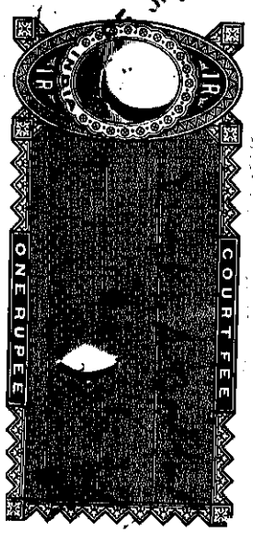



RP88
4/12/8/-

To



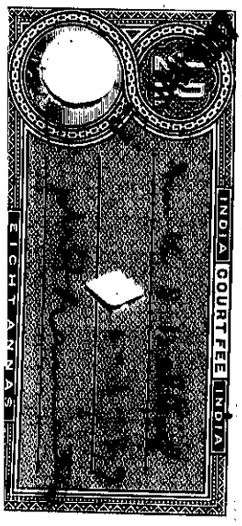

The Honourable Member of the Board
Of Revenue (Land Revenue),
M a d r a s.




Humble application of K.Srinivasa Ballala, Trustee of Shri Shanteeshwara Swami Basti, and Shri Adeeshwara Parshwanath Swami Basti of Mangalore Town, residing at Dongerkerry of Mangalore Town, in South Kanara District.

Respectfully Sheweth as follows:-

1. That the petitioner has been appointed as trustee of the abovenamed two institutions Nos.16 and 89 of Mangalore Taluk on 12-8-1936 and a Moktessori Sannad also has been granted to him by the Jain Temple Committee of Mangalore Taluk.




2. The petitioner submits that the first named institution of Shree Shanteeshwara Swami Basti has an annual Tasdik allowance of ₨30-6-5 and the second named institution of Shri Adeeshwara Parshwanath Basti has an annual tasdik allowance of ₨40/-.

3. The petitioner submits that with regard to the Shri Adeeshwara Parshwanath Basti, an institution which was originally at Ullal, the Collector of South Kanara has permitted the transfer of the idols thereof to the Shree Shanteeshwara Basti at Mangalore and has ordered the payment of the Tasdik of ₨40/- due to it from the Beriz of the Kasba Bazaar Village of Mangalore from Fasli 1345 onwards.

4. The petitioner submits that in the case of the aforesaid Shree Shanteeshwara Swami Basti, the tasdik due to it has not been disbursed since the demise of the late Mr. K. Cheluvaya Ballal on 28-8-1929 who was a trustee till then.

5. The petitioner submits that ever since 28-8-1929, his father Mr. K. Raghuchandra Ballal and the petitioner have been getting the worship duly performed in the aforesaid institution and the petitioner as the present trustee is entitled to get the tasdik allowance due to it since 1929. The petitioner's father has spent about ₨50,000/- in about 1931 to 1933 for the reconstruction of the said Basti and other buildings surrounding it.

6. That on 26-8-1936, the petitioner as the trustee of the aforesaid institutions applied to the Collector of South Kanara, for payment of the tasdiks due to the aforesaid institutions and he did not get any orders till 11-12-1936 when he was informed that orders had been passed on his petition on 16-10-1936 that a copy thereof had been communicated to him and that he may apply for a certified copy if he so desires.

7. That the petitioner who had not received any communication of the order dated 16-10-1936 accordingly applied for a certified copy of that order on 18-12-1936 and the copy which has been granted to him on 14-1-1937 states that "orders

have been already passed in the office in R.Dis.5759-35 dated 26-6-1936 with regard to the allowance due to Shri Adeeshwara Basti The matter will not be re-opened.

2. Sanction is accorded to the payment of tasdik from current Fasli to the Shri Shanteeshwar Basti. The arrears will not be paid

8. The petitioner submits, that the Collector ought to have taken into consideration the fact that the worship had been duly performed in the said institution all along and ought to have directed payment of all the arrears of tasdik.

9. The petitioner therefore prays that on a consideration of all the above facts and if necessary, after making necessary enquiries about the worship since 1929, the Honourable Board may be pleased to order payment of all the arrears of tasdik as trustee of the institution.

The petitioner begs to remain,

Mangalore, 21 January 1937.

Yours most obediently,

K. Shivaraya Ballal

Enclosure copy of the order of the Collector dated 16.10.936

K. Shivaraya Ballal

D.Dis.No.4530-1936.

Proceedings of the Collector of South Kanara, Mangalore.
Dated 16th October 1936.

Present:- A.D.Crombie,Esqr., C. I. E. I.C.S..

Allowances - Tasdik - Sri Shantheeswar Swami Basti and Shri Adeeshwara Parshwanath Basti - Arrears payment.

Read (1) Petition dated 26-8-36 from K.Srinivasa Ballal, Trustee.

(2) Mangalore Tahsildar's report N.Dis.8589-36A1 dated 17-9-1936 and N. Dis.9551-36A1 dated 9-10-1936.

Orders have already been passed in this Office R.Dis.5759-35 dated 26-6-1936 with regard to the allowance due to Shri Adeeshwara Basti. The matter will not be re-opened.

2. Sanction is accorded to the payment of tasdik from current fasli to the Shri Shanteeshwar Basti. The arrears will not be paid.

(Sd) A. Thimmappa Punja,
16-10-1936.
for Collector.

True Copy).

K. Thimmaya Ballal

X I A.

P.C. calling for a certified copy of the collector's order is enclosed.

Issue till 27-2-37.

27.1.37

27.1.37

27.1.37

BOARD OF REVENUE
1-FEB 1937

RP 159
A 461

Mangalore,

30th January 1937.

To

The Honourable Member of the Board of Revenue,

(Land Revenue)

Madras.

From

M.R.Ry.K.Srinivasa Ballal, Avl.,

Trustee of Shri Shanteshwaraswami Basti, and
Shri Adeeshwara Parashwanathswami Basti,
of Mangalore Town,

Residing at Dongerkery,

Mangalore, South Kanara.

Sir:

Reference:- A.No.352/37.

*******

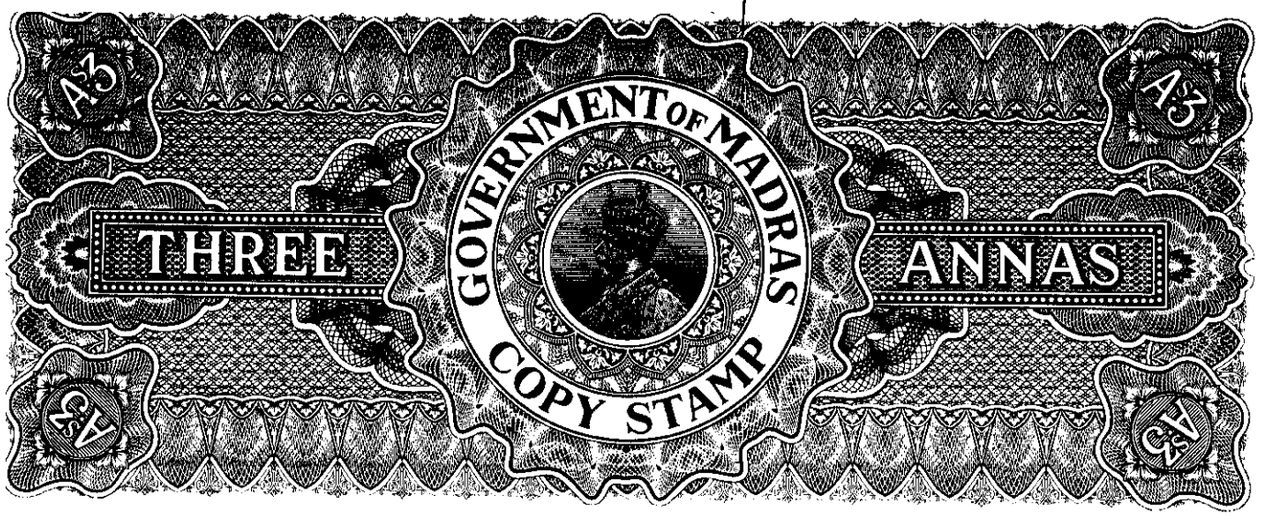
With reference to the above matter and in continuation of my petition dated 21.1.1937, I am sending herewith a certified copy of the Collector's Order D.Dis.No.4530 of 1936 dated 16-10-1936 without stamps as ordered by you.

I beg to remain,

Sir,

Your obedient servant,

K. Shrinivas Ballal




D. Dis. No. 4530 - 1936.

Proceedings of the Collector of South Kanara, Mangalore

Dated 16th October 1936.

Present: A. D. Crombie, Esquire, C.I.E., I.C.S.

Allowances — Tasdik — Sri Shanthiswar Swami Basti and Shri Adishwara Parshwanath Basti — Arrears payment —

Read (1) Petition dated 26.8.36 from K. Srinivasa Ballal, Trustee,

(2) Mangalore Tahsildar's report N. Dis. 8589-1936 dated 17.9.36 — and N. Dis. 9551-36 A1 dated 9.10.1936

orders have already been passed in this office R. Dis. 5759-35 dated 26.6.36 with regard to the allowance due to Shri Adishwara Basti. The matter will not be re-opened.

2 Sanction is accorded to the payment of tasdik from current fasli to the Shri Shantiswar Basti. The arrears will not be paid.

(Sd) A. Thimmappa Bunja

16.10.1936

for Collector.

Total words = 127

Petition No. 284/36.
[illegible] from
K. Shrinivasa Ballal
[illegible] 18.12.1936
[illegible] 18.12.1936
[illegible] 22.12.1936
[illegible] 14.1.1937 ~~12.1936~~

copies by AR [illegible]

(From the [illegible])
(True copy on one sheet only)

Treasury Deputy-Collector.

C.F. 16.

## DRAFT FOR APPROVAL.

| | Date. | Initials. |
|---|---|---|
| When received for fair copying .. | | |
| When copied .. | | |
| When examined.. | | |
| When signed .. | | |
| When despatched. | 23 FEB 1937 | |

SUBJECT :— Allowances - Jasdik - (South Kanara) - Mangalore Town - Sri Shanteeswaraswami Basti - Payment of arrears.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*

1/1-3 of A No. 352/37 From ~~the~~ K. Srinivasa Ballala, No. —, dated 21-1-1937. Q2

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Order Ms.~~ / ~~Resolution Rout.~~ No. _____, dated Refee no A 352/37-1 & 17-2-1937.

RI & 17.2.37 V

Forwarded to the Collr. of South Kanara for resubmission with the connected records and with such remarks as he may wish to offer on the allegations contained in the petition that are not clearly dealt with in the records.

17.2.37

17.2.37

17.2.37

2

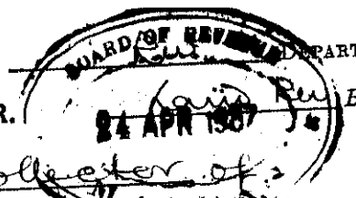
The Collr. of South Kanara (with a petition which might have returned)

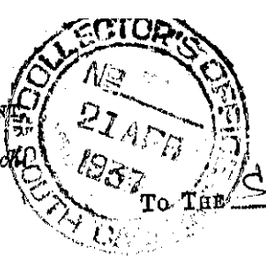
Issue by 17.2.37

12 (A)

C.F. 98.

**REMINDER.** / **REPLY.**





To The Collector of South Kanara

To The Secretary to the Board of Rev Madras

Sir

I ~~have the honour to invite~~ am directed to invite ~~invite~~ attention to Ref. No. A 352/37-1, dated 17-2-37 and ~~to request that the reply to it may be expedited~~ with request that this reminder may be returned at once information as to—

(1) the stage at which the matter now is, and

(2) the date by which a reply may be expected, ~~and~~

(3) ~~the circumstances which have caused the delay.~~

The reference is pending in the Tahsildar Mangalore. He has been reminded to expedite the report. I expect to send a reply to the Board's proforma about the end of the month

22.4.37

Collector

Office Board of Rev

Station Madras

Dated 20/4/37

N. Subrahmanyam

Signature. 20/4/37

Supdt.

Designation.

RS 22/4

SUBJECT

Allowances - Tasdik (South Kanara) Mangalore Town Sri Shanteeswaraswami Bank - Arrears - payment

12.4.37

12(4)

AS(AR)

To AS.

Filed. The collector may again be reminded if necessary on 5-5-37

26/4/37

26.4

R.C.T.951-37-B1. South Kanara Collector's Office,
Mangalore, dated 1st May 1937.

From

T. A. Varghese, Esquire, I.C.S.,
Collector of South Kanara.

RP 126 A 1127 352/37

The Secretary to the
Board of Revenue, Madras.

Sir,

Allowances - Tasdik - Mangalore Town - Shantishwara Swami Basti - Payment of arrears.

Ref:— Board's reference No.352/37-1 dated 17-2-1937.

---

I resubmit herewith the petition dated 21-1-37 of ----- K. Srinivasa Ballal received with the Board's reference.

It is reported that after the death of the last trustee Cheluvayya Ballal, Mr. Raghuchandra Ballal, the President of the Jain Temple Committee and petitioner's father has been looking after the institution and that even during the life-time of Cheluvayya Ballal it was his brother, Mr. Raghuchandra Ballal who was managing the institution. The building of the ---- institution was got rebuilt by him lately at considerable cost.

2. The tasdik for the years 1339 to 1345 was not paid as no trustee was appointed and no claim made till August 1936. Services were, however, being regularly conducted throughout the period.

3. This office file B.Dis.4500-36/16-10-36 is enclosed.

For Collector.

1.5.37

No. 112

For INSURABLE NOTICES see reverse. Stamps affixed except in case of uninsured letters not exceeding 2½ tolas or one ounce in weight or on which no acknowledgment is due.

Rs. As.

*Date-stamp.*

**Received** a registered * ——————

addressed to ——————

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* Write here "letter," "postcard," "packet" or "parcel" with the word "Insured" before it when necessary.

*Initials of Receiving Officer.*

**If insured.**

*Insured for* Rs. (*in figures*)—————(*in words*)

*Insurance fee* Rs.———As.——— (*in words*)

**Name and address of sender.**

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Weight Rate

Tolas

10 JUN

3 — P.M.

NOTICE (1).—The Post Office is not responsible for loss or damage in the case of inland registered articles, unless they are also insured.

(2).—The special conditions and restrictions as to insurance which will be found in the current edition of the Post and Telegraph Guide are binding upon every sender of an Insured postal article by virtue of rules prescribed under the Indian Post Office Act. 1898.

M, (JFH)

C.F. 16.

**DRAFT FOR APPROVAL**

| | Date. | Initials. |
|---|---|---|
| When received for fair copying | | |
| When copied | | |
| When examined | | |
| When signed | 18/6/37 | |
| When despatched. | 21/6 | |

SUBJECT :— Allowances – Tasdik (South Kanara) Mangalore Town – Shri Shanteeswara-swami Basti – claim to arrears of allowans – Petition by Srinivasa Ballal – [illegible] Collr informed

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

fop 1-3 cf. No. A 352/3 From the Petition dt 11-1-37 from K. Srinivasa Ballal Trustee of Shri Shanteeswara swami Basti No. _____ dated _____ 19____

p 13 cf. A 1497/37 " Coll^r of S. Kanara " R.o.c 951/37-B1 " 1-5-37 " 19____

" _____ " _____ " _____ " _____ 19____

~~Order~~ Resolution ~~Rent~~ Ms. No. 1766, dated 3.6. 19 37

The Board considers that the petitioner's claim to the arrears of the allowance ~~is not~~ payable to Shri Shanteeswara swami Basti is admissible under B.S.O 67 para 1(2). The Collr is requested to direct the payment of the arrears of that allowances, subject to the deductions specified in para 2 of BSO no 67.

2/. The petitioner is informed and referred to the Collr of S. Kanara for orders on his petition to the Board of Rev

RS 3/6/37

MS 3/6/37

Pp 444 BSO Vol II Book no 67.

pp 444-445 ds.

To. The Collr of S. Kanara ✓
with his DO No. 45 30/36 (U)
16.X.36

To. M/s K. Srinivasa Ballal & Co
Trustee of Shri Shanteeswara-swami Basti
Dongerkery
Mangalore
(South Kanara)

Mangalore 1 only. 2.6.37

M.
AJS
AS(d/R)

# Note File

Allowances - Taxdik (South Kanara) Mangalore Tk and Town - Sri Shanteeswaraswamy and Sri Adeeswara Parswanath Bastis - payment of arrears - Petition by Mr K. Srinivasa Ballala.

A 352/37.
Coll Dpca dy 17.2.37.
A 1497/37.

To AS.

Please see the petition at pp 1-3 cf and the remarks of the Coll of S. Kanara, at p 13 cf.

2/. The Coll was right in refusing to re-open the matter relating to Sri Adeeswara Parswanath Basti. It has already been decided in the G.O at p. 20 cf of P.P. Mis 1422 dy 27.4.36 that the allowance (Rs. 40/-) due to that institution shall be paid from the date of the installation of the idols at Mangalore.

3/. As regards the allowance due to the Sri Shanteeswaraswamy Basti it was not paid during the

para 1 p 5 cf.

(2)

Fasli 1339 to 1345 apparently as no one claimed it. The petitioner was appointed as trustee in August '26 soon after and he claimed the allowance and also the arrears. The Collr sanctioned the payment of the allowance, from the current fasli and refused to pay the arrears. Under para 7 of B.S.O No 67, claims to lapsed pensions or allowances should be admitted and payment of the arrears sanctioned, only if the failure to claim the allowance was due to disability and not neglect and if the ~~service~~ institution was in good order and the service was rendered. In this case, the institution was in good order and the service was rendered during the period (Fasli 1339 to 1345) for which the allowance was not claimed. Only there was no one duly appointed as trustee for the institution. It is seen from the Ready Money Imam Register put up at (S) that the allowance is payable to the "Manager for time being" of the institution. Col 3

p4 of (U)

p5 of (U)

p444 BSO Vol II Book no 70

p4 of (U)

of

of the Register put up at (k) also shows that one Nema Sudra was trustee of Sri Shanteeswaraswamis Basti, in 1875

These seem to imply that the allowance should be paid to a duly appointed trustee or manager and not merely to any person who had rendered the service. The institution in question was in good order and was "looked after by one Mr Raghu-chandra Ballal (petitioner's father) who is also the President of the Temple Committee during the period for which the allowance was not claimed. The failure to claim the allowance does not appear to be due to neglect on the part of either the petitioner or his father. Neither of them had been duly appointed as trustee at that time and it was only due to that disability that they did not claim it.

In the circumstances it appears that the claim to the arrears also is admissible in this case.

For orders

The Board may admit the claim to arrears of allowance under B.S.O. 67 para 1(7).

WS 26/5/37 AJS 29.5.37

Ls (RR)

To RR

Please see the orders overleaf

Draft submitted

RR
12.2.16
2.6.16

MR
3637